

| | | |
|---|--|----------------------------|
| PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED | | Docket Number (Optional) |
| UNINTENTIONALLY UNDER 37 CFR 1.137(b) | | 3070.INSY.PT |
| First named inventor: Hwu et al | | Art Unit: 2879 |
| Application Number: 10/067,625 | | Examiner: Jason R. Phinney |
| Filed: February 4, 2002 | | RECEIVED |
| Title: SOLID STATE VACUUM DEVICES AND METHOD FOR MAKING THE SAME | | AUG 4 2004 |
| Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | | OFFICE OF PETITIONS |
| <p>NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.</p> <p>The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is April 4, 2004, the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained. APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION</p> <p>APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION</p> <p>NOTE: A grantable petition requires the following items:</p> <ol style="list-style-type: none"> (1) Petition fee; (2) Rely and/or issue fee; (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed (4) Statement that the abandonment was unintentional. <p>1. Petition fee</p> <p><input checked="" type="checkbox"/> small entity - fee \$ <u>665.00</u> (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> other than a small entity - fee \$ _____ (37 CFR 1.17(m)).</p> <p>2. Reply and/or fee</p> <p>A. The reply to the above-noted Office action in the form of <u>an Amendment Response</u> (identify the type of response):</p> <p><input type="checkbox"/> has been filed previously on _____.</p> <p><input checked="" type="checkbox"/> is enclosed herewith.</p> <p>B. The issue fee of \$ _____</p> <p><input type="checkbox"/> has been paid previously on _____.</p> <p><input type="checkbox"/> is enclosed herewith.</p> | | |

| | |
|--|---------------------------------|
| PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED | Docket Number (Optional) |
| UNINTENTIONALLY UNDER 37 CFR 1.137(b) | 3070.INSY.PT |

3. Terminal Disclaimer

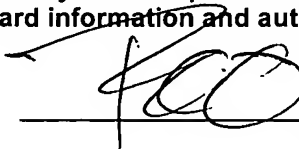
- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

08-23-04

Date



Signature

Telephone

Number: (801) 478-0071Paul C. Oestreich, Reg. # 44,983

Typed or printed name

MORRISS O'BRYANT COMPAGNI, P.C.

Address

136 South Main Street, Suite 700, Salt Lake City, Utah 84101

- Enclosures:** ☒ Fee Payment - Check in the amount of \$665.00 and Fee Transmittal Sheet
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☒ Other: Revocation and Power of Attorney

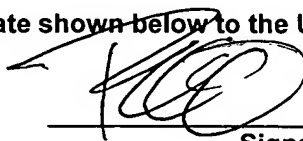
CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

08-23-04

Date



Signature

Paul C. Oestreich, Reg. No. 44,983

Typed or printed name of person signing Certificate